



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/727,855	12/01/2000	Tatsuo Hoshino	20516 US (C38435/111694)

CONFIRMATION NO. 4260

FORMALITIES LETTER



OC000000006462350

Mark E. Waddell, Esq.
Bryan Cave LLP
245 Park Avenue
New York, NY 10167-0034

Date Mailed: 08/23/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

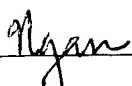
The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

Docket No.: 20516 US/(C38435/111694)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tatsuo HOSHINO *et al.*

Serial No.: 09/727,855

Filed: December 1, 2000

For: **PROCESS FOR THE MANUFACTURE
OF CAROTENOIDS AND
BIOLOGICALLY USEFUL
MATERIALS THEREOF**

)

) Examiner: Unassigned

) Art Unit: 1674

)

New York, NY
October 18, 2001

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents
Washington, DC 20231

Sir:

The two-months shortened statutory period of time for response to the Notice to File Corrected Application Papers mailed on August 23, 2001 ("Notice") expires on October 23, 2001. No fee is believed due at this time, however, if a fee is due, please charge any required fees to Deposit Account No. 02-4467. A duplicate of this sheet is enclosed.

In the Notice, the Examiner provided notification that the captioned application is informal because the specification is not in compliance with the requirements of 37 CFR § 1.52 because the papers contain improper margins. A copy of the Notice is attached as Exhibit A.

In response to the Notice, pursuant to 37 CFR § 1.125 a substitute specification, excluding the claims, is submitted as Exhibit B.

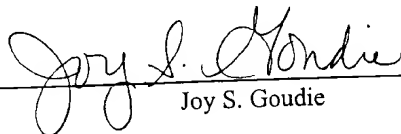
REMARKS

A hard copy of a substituted specification having proper margins, is submitted herewith. Pursuant to 37 CFR §1.125(b)(1), undersigned counsel hereby represents that, upon information and belief, the content of the substitute specification enclosed herewith is the same as the specification originally submitted and that no new matter has been added and no matter has been deleted from the original specification.

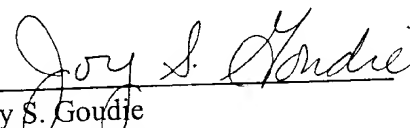
It is believed that the substitute specification presented herewith place the captioned application into compliance with the requirements set forth in 37 CFR § 1.52. Entry of the specification is respectfully solicited.

If the Examiner wishes to discuss any part of this submission, please contact the undersigned at the number indicated.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Sequence, Commissioner for Patents, Washington, DC 20231, on October 18, 2001.


Joy S. Goudie

Respectfully submitted,

By: 
Joy S. Goudie
Registration No. 48,146
BRYAN CAVE LLP
245 Park Avenue
New York, NY 10167-0034
Phone: (212) 692-1800
Fax: (212) 692-1900



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/727,855	12/01/2000	Tatsuo Hoshino	20516/111694

CONFIRMATION NO. 4260

FORMALITIES LETTER



OC000000005848477

 Mark E. Waddell, Esq.
 Bryan Cave, LLP
 245 Park Avenue
 New York, NY 10167-0034

Date Mailed: 03/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

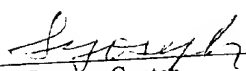
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

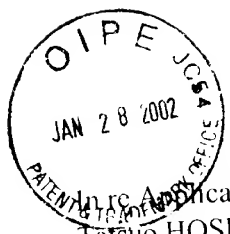
A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

0300



Docket No.: 20516 US/(C38435/111694)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of :
Tatsuo HOSHINO *et al.*

Serial No.: 09/727,855

Filed: December 1, 2000

For: **PROCESS FOR THE MANUFACTURE
OF CAROTENOIDS AND
BIOLOGICALLY USEFUL
MATERIALS THEREOF**

)
) Examiner: Unassigned
) Art Unit: 1674
)

New York, NY
December 18, 2001

COMMUNICATION TO NOTICE OF INCOMPLETE REPLY

BOX: CUSTOMER SERVICE
Commissioner for Patents
Washington, DC 20231

Sir:

This Communication is being submitted in response to the Notice Of Incomplete Reply mailed on December 12, 2001 in connection with the above-identified application. In response a copy of the Notice, the Response to Notice to File Missing Parts with the postcard stamped by the Patent & Trademark Office on May 16, 2001, Response to Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequence filed October 18, 2001, and Response to Notice to File Corrected Application Papers filed October 18, 2001 are submitted herewith.

It is not believed that this communication occasions any fee, however, should there be any fee, please charge the same to Deposit Account No. 02-4467.

If the Examiner wishes to discuss any part of this submission, please contact the undersigned at the number indicated.

Respectfully submitted,

By: Joy S. Gaudie

Joy S. Gaudie

Registration No. 48,146

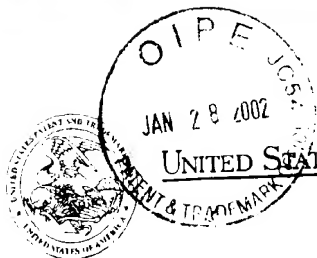
BRYAN CAVE LLP

245 Park Avenue

New York, NY 10167-0034

Phone: (212) 692-1800

Fax: (212) 692-1900



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/727,855	12/01/2000	Tatsuo Hoshino	20516 US/(C38435/111694)

CONFIRMATION NO. 4260

FORMALITIES LETTER



OC00000007186172

 Mark E. Waddell, Esq.
 Bryan Cave LLP
 245 Park Avenue
 New York, NY 10167-0034

Date Mailed: 12/12/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 12/04/2001 to the Notice to File Missing Parts (Notice) mailed 08/23/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

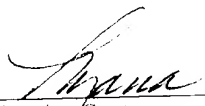
- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



May 11, 2001 Docket No. 20516 US (C38435/111694)

In re Application of:

Tatsuo HOSHINO, et al.

Serial No. 09/727,855

Filed: December 1, 2000

For: **PROCESS FOR THE MANUFACTURE OF
CAROTENOIDS AND BIOLOGICALLY USEFUL
MATERIALS THEREOF**



Enclosed:

1. Response to Notice to File Missing Parts (2 pp. in duplicate with Certificate of Mailing)
2. Copy of Notice to File Missing Parts of Nonprovisional Application - Part 2
3. Executed Declaration and Power of Attorney (3 pp.)
4. Check for \$130-for late filing surcharge
5. Paper copy with substitute CRF of Sequence Listing (22 pp.)
6. Return postcard

BOX: MISSING PARTS

PLEASE DATE STAMP AND RETURN TO ACKNOWLEDGE RECEIPT
KCH/JG4/nl

DOCKETED

DATE 5-22-2001

INITIAL ///

BRYAN CAVE LLP

245 Park Avenue
New York, NY 10167-0034
(212) 692-1800

May 10, 2001

The Bank of New York
New York, NY 10022
1-1/210

Check Number
26874

One Hundred Thirty & 0/100

Net Amount
\$ **\$130.00**

TO THE
ORDER OF

Assistant Commissioner for
Patents
Box Missing Parts
Washington, D.C. 20231

SIGNATURE HAS A COLORED BACKGROUND * BORDER CONTAINS MICROPRINTING

Anthony F. Spald

⑈0000026874⑈ ⑆021000018⑆6302197634⑈

Check NO. **26874**

Inv. Date	BC Ref#	Invoice #	Description	Amount Paid
05/10/01	593336	111694-KH	Late filing surcharge fee	130.00

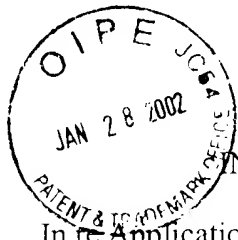
PRO-TC-BL
PRO-TC-BL

BRYAN CAVE LLP 245 Park Avenue

New York, NY 10167-0034

(212) 692-1800

CHECK TOTAL 130.00



Docket No.: 20516 US (C38435/111694)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tatsuo Hoshino, et al.

Serial No.: 09/727,855

Filed: December 1, 2000

For: **PROCESS FOR THE MANUFACTURE
OF CAROTENOIDS AND
BIOLOGICALLY USEFUL
MATERIALS THEREOF**

) Examiner: Unassigned

) Art Unit: 1645

New York, New York
May 11, 2001

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date

Granted March 12, 2001 ("Notice") in the above-identified application, Applicants submit
herewith the following:

- (1) Declaration signed by all inventors in compliance with 37 CFR 1.63;
- (2) Copy of Notice to File Missing Parts of Non-Provisional Application - Part 2;
- (3) A check in the amount of \$130.00 to cover the fee; and
- (4) A paper copy and a Substitute Computer Readable Form of the
Sequence Listing.

We note that the Notice indicates that a "marked-up Raw Sequence Listing"
("marked-up version") accompanied the Notice. No such marked-up version, however was

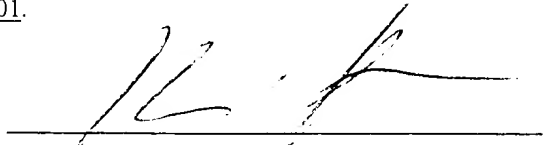
received. Accordingly, there is no indication on the record what is wrong with the original Sequence Listing. In an effort to further prosecution, however, we enclose a Substitute Sequence Listing and Computer Readable Form. Pursuant to 37 CFR §1.821(f), undersigned counsel hereby represents that, upon information and belief, the content of the paper copy and Substitute Computer Readable Form enclosed herewith are the same and that no new matter has been added.

It is believed that the Substitute Sequence Listing and Computer Readable Form presented herewith place the captioned application into compliance with the requirements set forth in 37 CFR § 1.821 *et seq.* Entry of the Substitute Sequence Listing is respectfully solicited.

If our check is missing or otherwise insufficient, or if any additional fees are required, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of this communication is enclosed.

If the Examiner wishes to discuss any part of this submission, please contact the undersigned at the number indicated.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on May 11, 2001.



Respectfully submitted,

By: 

Kevin C. Hooper
Registration No. 40,402
Joy S. Goudie
Registration No. P48,146
BRYAN CAVE LLP
245 Park Avenue
New York, NY 10167-0034
(212) 692-1800



Docket No.: 20516 US/(C38435/111694)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Tatsuo HOSHINO *et al.*

Serial No.: 09/727,855

Filed: December 1, 2000

For: **PROCESS FOR THE MANUFACTURE
OF CAROTENOIDS AND
BIOLOGICALLY USEFUL
MATERIALS THEREOF**

)
) Examiner: Unassigned
) Art Unit: 1674
)

New York, NY
October 18, 2001

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Box Sequence
Commissioner for Patents
Washington, DC 20231

Sir:

The two-months shortened statutory period of time for response to the Notice to Comply with Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on August 23, 2001 ("Notice") expires on October 23, 2001. No fee is believed due at this time, however, if a fee is due, please charge any required fees to Deposit Account No. 02-4467. A duplicate of this sheet is enclosed.

In the Notice, the Examiner provided notification that the captioned application must be placed into compliance with the requirements of 37 CFR §§ 1.821 through 1.825. A copy of the Notice is attached as Exhibit A.

In response to the Notice, a paper copy and a computer readable format version of a Sequence Listing are submitted herewith, respectively, as Exhibits B and C.

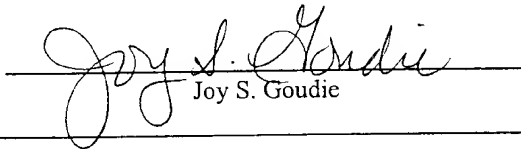
REMARKS

Hard copy and computer readable versions of the Sequence Listing are submitted herewith. Pursuant to 37 CFR §1.821(f), undersigned counsel hereby represents that, upon information and belief, the content of the paper and computer readable Sequence Listings enclosed herewith are the same and that no new matter has been added.

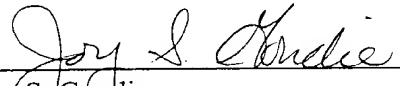
It is believed that the Sequence Listing and computer readable form presented herewith place the captioned application into compliance with the requirements set forth in 37 CFR § 1.821. Entry of the Sequence Listing is respectfully solicited.

If the Examiner wishes to discuss any part of this submission, please contact the undersigned at the number indicated.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Sequence, Commissioner for Patents, Washington, DC 20231, on October 18, 2001.


Joy S. Goudie

Respectfully submitted,

By: 
Joy S. Goudie
Registration No. 48,146
BRYAN CAVE LLP
245 Park Avenue
New York, NY 10167-0034
Phone: (212) 692-1800
Fax: (212) 692-1900



October 18, 2001 Docket No. 20516 US (C38435/111694)

In re Application of:

Tatsuo HOSHINO *et al.*

Serial No.: 09/727,855

Filed: December 1, 2000

For: **PROCESS FOR THE MANUFACTURE OF
CAROTENOIDS AND BIOLOGICALLY USEFUL
MATERIALS THEREOF**

Enclosed:

1. Response To Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures including certificate of mailing and Exhibits A-C (2 pp including duplicate page 1); and
2. Return postcard.

**PLEASE DATE STAMP & RETURN TO
ACKNOWLEDGE RECEIPT**

BOX: SEQUENCE

JG4/nl

DOCKETED
DATE 10-22-2001
INITIAL TH

For 3 1/2" Disk

Pull Tab to Open

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Disk Mailer

From

Format: ASCII
Applicants: Tatsuo HOSHINO, *et al.*
Serial No.: 09/727,855
Filed: December 1, 2000

To

Title: **PROCESS FOR THE
MANUFACTURE OF CAROTENOIDS AND
BIOLOGICALLY USEFUL MATERIALS
THEREOF**

Ref. No.: 20516US(C38435/111694)
Date Recorded: October 17, 2001
Computer: IBM PC Compatible
Operating Sys: Windows 95
Software: PatentIn Version 3.1

DISK MAILER

Handle With Care

FIRST CLASS MAIL

Format: ASCII
Applicants: Tatsuo HOSHINO, *et al.*
Serial No.: 09/727,855
Filed: December 1, 2000
Title: **PROCESS FOR THE
MANUFACTURE OF CAROTENOIDS AND
BIOLOGICALLY USEFUL MATERIALS
THEREOF**
Ref. No.: 20516US(C38435/111694)
Date Recorded: October 17, 2001
Computer: IBM PC Compatible
Operating Sys: Windows 95
Software: PatentIn Version 3.1